

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

NANCY RINEHART, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

AS AMERICA, INC. d/b/a American
Standard, a Delaware corporation and
SAFETY TUBS COMPANY, LLC, a
Delaware limited liability company,

Defendants.

CASE No. 3:16-cv-05128-MAS-
LHG

**MOTION FOR
PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT**

Plaintiff Nancy Rinehart (“Plaintiff” or “Rinehart”), by and through her undersigned counsel and having reached a class action settlement agreement with Defendants, AS America, Inc. d/b/a American Standard and Safety Tubs Company, LLC (“Defendants”), respectfully move this Court, pursuant to Federal Rule of Civil Procedure 23, for an order: (1) granting preliminary approval of the Class Action Settlement (the “Settlement”) in this matter, (2) certifying the proposed Settlement Class for settlement purposes, (3) approving the form and content of the Notice to be sent to the members of the Settlement Class pursuant to the plan detailed in the Settlement Agreement, (4) appointing proposed Class

Counsel and the Class Representatives to represent the Settlement Class, and (5) scheduling a final fairness hearing.

In support, Plaintiff submits the accompanying Memorandum in Support of Plaintiff's Motion for Preliminary Approval of the Class Action Settlement and its exhibits, and the declaration of proposed Class Counsel Patrick H. Peluso.

For the reasons set forth in the accompanying memorandum, the Plaintiff respectfully requests the Court grant Preliminary Approval of the Class Action Settlement reached in this case.

Dated: January 22, 2018

Respectfully submitted,

Nancy Rinehart, *individually and on behalf
of all others similarly situated*,

By: s/Patrick H. Peluso
One of Plaintiff's Attorneys

Steven L. Woodrow*
swoodrow@woodrowpeluso.com
Patrick H. Peluso*
ppeluso@woodrowpeluso.com
Woodrow & Peluso, LLC
3900 E. Mexico Ave., Suite 300
Denver, Colorado 80210
Tel: (720) 213-0675
Fax: (303) 928-0809

**admitted pro hac vice*

Stefan Coleman
law@stefancoleman.com

Law Offices of Stefan Coleman, PLLC
1072 Madison Ave, Ste. 1
Lakewood, NJ 08701
Tel: 877-333-9427

CERTIFICATE OF SERVICE

The undersigned certifies that, on January 22, 2018, I caused this document to be electronically filed with the Clerk of the Court using the CM/ECF system, which will send a notification of filing to all counsel of record for each party.

s/ Stefan Coleman